

Notice of Allowability

Application No.

09/864,038

Examiner

Kuen S. Lu

Applicant(s)

ZEE, CHRISTOPHER

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/16/2006.
2. ☒ The allowed claim(s) is/are 3,9-13 and 19-33 (renumbered to 1-21).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

Continuation of Attachment(s) 9. Other: Drawings filed 1/23/2004 are accepted.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. After a thorough search and examination of the present application, a telephone interview conducted on April 25, 2006, and in light of the prior art made of record and Applicant's response of May 16, 2006, Claims 3, 9-13 and 19-33 are allowed.

Drawings

3. The Drawings filed on January 23, 2004 are accepted.

Reason for Allowable

4. The following is an examiner's statement of reasons for allowance:

In the Examiner's Office Action for Final Rejection of February 17, 2006, U.S.C. § 103, rejections was primarily based on Salom: "METHOD AND SYSTEM FOR GENERATING NEW BUSINESS", U.S. Patent Application 2003/0167175, filed September 4, 2003; in view of Wilkinson: "INTELLECTUAL PROPERTY FINANCIAL MARKETS METHOD AND SYSTEM", U.S. Patent Application 2001/0034695, filed October 25, 2001; and further in view of Couchman: Oracle DBA Certification Exam Guide, Oracle® Press, 1998; Will the real VLDB conference please stand up, Pages 8-14, ACM SIGMOD Record, Vol. 12, issue 3, April 1982; and Watanabe et al.:

"METHOD, APPARATUS, SYSTEM AND PROGRAM STORAGE DEVICE FOR DISTRIBUTED INTELLECTUAL PROPERTY", U.S. Patent 6157947, issued December 5, 2000.

In the response filed May 16, 2006, based on the interview summary filed April 25, 2006, to the Final Rejection, Applicant clarified subject matter as claimed and further agreed to amend independent claims 3 and 33 to include the subject matter of **collecting an archival fee for each archived IP accepted for archival; and establishing a separate endowment fund for each archived IP from the archival fee collected for that archived IP;**

wherein each endowment fund generates enduring funding for the maintenance and operation of the information storage and retrieval archival system to assure continued availability of the corresponding archived IP regardless whether there is user fee based access thereto.

After a thorough search for the prior art conducted on EAST database and domains (NPL-ACM, Google, NPL-IEEE), a detailed examination of the search results, a follow-up review of the search results, and reviewing the reference of "Reynolds et al.: "INTERACTIVE WEB BOOK SYSTEM", U.S. Patent 6,052,717, issued 4/18/2000, the Examiner is persuaded and has maintained the position that the prior art searched and made of record does not teach the following subject matter:

collecting an archival fee for each archived IP accepted for archival; and

establishing a separate endowment fund for each archived IP from the archival fee collected for that archived IP;
wherein each endowment fund generates enduring funding for the maintenance and operation of the information storage and retrieval archival system to assure continued availability of the corresponding archived IP regardless whether there is user fee based access thereto
as stated in the independent claims 3 and 33.

The dependent claims 9-13 and 19-32, depending on claims 3 and 33, respectively, also distinct from the prior art for the same reason.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-

Art Unit: 2167

273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu




Patent Examiner

January 15, 2007



JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



17 January 2007